

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

APRIL AYER,	:	Case No. 3:18-cv-327
	:	
Plaintiff,	:	Judge Thomas M. Rose
	:	
v.	:	
	:	
COMMUNITY MERCY HEALTH	:	
PARTNERS, d/b/a SPRINGFIELD	:	
REGIONAL MEDICAL CENTER,	:	
	:	
Defendant.	:	

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**ENTRY AND ORDER GRANTING CONSENT MOTION FOR LEAVE TO AMEND  
COMPLAINT (DOC. 13) AND DENYING MOTION FOR PARTIAL JUDGMENT ON  
THE PLEADINGS (DOC. 5) AS MOOT**

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This case is before the Court on three motions: Plaintiff April Ayer’s Consent Motion for Leave to Amend Complaint (Doc. 13) and Defendant Community Health Partners d/b/a Springfield Regional Medical Center’s Motion for Partial Judgment on the Pleadings (Doc. 5).

Pursuant to Fed. R. Civ. P. 15(a)(2), Plaintiff requests leave to amend the Complaint with Community Health Partners’ written consent. Community Health Partners is the only remaining Defendant in this case. Rule 15(a)(2) states that leave to amend a pleading may be granted with the opposing party’s written consent or the court’s leave, and that the court “should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). As justice favors resolving a case on its merits and Plaintiff meets the requirements of Rule 15(a)(2), the Motion for Leave to Amend (Doc. 13) is **GRANTED**. Plaintiff shall file the Amended Complaint in the Court’s docket within 7 days of this Order.

The amendment of Plaintiff's Complaint renders the pending Motion for Partial Judgment on the Pleadings (Doc. 5) moot. That Motion is therefore **DENIED**.

**DONE** and **ORDERED** in Dayton, Ohio, this Friday, December 21, 2018.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE